

CONTRACT LAW DIVISION

Contract Law Division

Office of the Assistant General Counsel for Finance and Litigation

Biweekly Report—Period Ending Decembe 20, 1997

Techno-Science, Inc.— GAO No. B-277620

TSI submitted a letter to the CO requesting a copy of the RPS Program Design Specifications, and an extension of time to respond to the market survey. TSI contends that it needs the specifications to respond to the survey, and offers to make all modifications and enhancements in accordance to the specifications (sight unseen) to its Fourth Generation MCC for 80% of the RPS contract price. We provided advice to the agency with respect to the strategy and response. The Contracting Officer issued a letter that states that the agency will provide the specifications to TSI, but that TSI does not need the specifications to respond to the market survey. The agency extended the deadline to December 11, 1997, for TSI to submit a response to the market survey. (Mark Langstein & Amy Freeman)

Meeting on Internet Domain Name Policy

Jerry Walz met with an inter-agency group, (NTIA/DOJ/DARPA/NSF), which included Ira Magaziner, to discuss the funding and extension of a DARPA cooperative agreement with USC's Internet Assigned Numbers Authority ("IANA") organization. IANA is a group which has long looked over the domain name system policy from the earliest days of the Internet. Present funding for IANA runs out on December 31, 1997.

Business Conference in Bombay, India

Ken Lechter participated on a panel, discussing government procurement and alternative dispute resolution. This panel, with two private sector Indian procurement counsel, was part of a larger conference on the legal aspects of Indo-U.S. business cooperation. Secretary Daley was the keynote speaker, and Andrew Pincus, General Counsel, spoke on issues facing U.S. investors in India. The conference included a well attended and question and answer period.

NOAA Class VIII Supercomputer Procurement

We have completed our legal review of the RFP. We made extensive comments, and, as a result of problems we detected with the amount of services contemplated to be provided for the base year in excess of available funding, revisions have been made before the document's release. Fred Kopatich is advising.

U.S. v. Cedar Tower, Inc. -3:97-CV-2904-T

The U.S. District Court for the N. District of Texas has entered an Order dismissing the Government's Motion for a Temporary Restraining Order against the lessor of a NOAA Weather Radio site. NWS had requested that the motion be withdrawn as the lessor had finally allowed NWS to remove its equipment from its site. NWS now expects the lessor to file a claim pursuant to the Contract Disputes Act. Lisa J. Obayashi had the case.

PTO-SETA Contract Awarded

PTO announced the award of its SETA contract to PRC, Inc. The estimated amount of the contract is \$38 million. Under this contract, PRC, Inc. will provide various technical assistance to PTO and be responsible for network architecture design and engineering services. Lisa J. Obayashi advised.

DEBCON, Inc., v. DOC -GSBCA No. 13923-COM

After failed settlement discussions, Cecilia R. Jones requested a mini-hearing on the issue of coercion/duress. Most of DEBCON's claims are barred by the terms of contract modifications, however, DEBCON contends that it has a right to bring the claims because the modifications were consummated as a result of coercion/duress.



